

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

3 MIRANDA KANE (CABN 150630)
Chief, Criminal Division

4 JOHN H. HEMANN (CABN 165823)
Assistant United States Attorney

5 450 Golden Gate Ave., Box 36055
6 San Francisco, California 94102
7 Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: john.hemann@usdoj.gov

8 Attorneys for Plaintiff

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 UNITED STATES OF AMERICA,) No. 3-12-71282-MAG
15 Plaintiff,) STIPULATION AND [PROPOSED]
16 v.) ORDER EXTENDING TIME PURSUANT
17 MIGUEL ARENAS,) TO FED. R. CRIM. P. 5.1 AND 18 U.S.C.
18 Defendant.) § 3161(h)

19
20 The parties, by and through counsel, stipulate and agree as follows:

21 1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until February 21,
22 2013, and the hearing scheduled for February 5, 2013, vacated.

23 2. Counsel for the United States and the defendant wish to exchange certain information,
24 and to meet and confer prior to the time of Indictment to discuss a potential resolution of the
25 case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is
26 in the best interest of the defendant to obtain further information, consult with the defendant, and
27 meet with the government prior to Indictment; counsel for the government believes that it is in
28 the interests of justice to do so. The parties agree that extending the time limits of Rule 5.1

STIPULATION AND [PROPOSED] ORDER
Case No. 3-12-71282-MAG

serves the ends of justice and outweighs the interests of the public and the defendant in a speedy trial, and that failing to extend the time limits would deny counsel for the government and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7).

3. The hearing scheduled for February 5, 2013, for defendant Arenas should be vacated. The next court appearance in this case shall be February 21, 2013, at 9:30 am before the duty magistrate in San Francisco, for preliminary hearing or indictment. The parties may seek further extension of the time limits in Rule 5.1(c) by stipulation.

SO STIPULATED AND AGREED,

DATED: MELINDA HAAG
United States Attorney

/S/

JOHN H. HEMANN
Assistant United States Attorney

DATED:

RANDY SUE POLLOCK
Counsel for Miguel Arenas

[PROPOSED] ORDER

Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. § 3161(h)(7), IT IS SO ORDERED.

DATED: February 5, 2013

MARIA ELENA JAMES
United States Magistrate Judge